

58. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Foster OF Illinois, OR HIS
DESIGNEE, DEBATABLE FOR 10 MINUTES:

35
Revised

**AMENDMENT TO H.R. 5658, AS REPORTED
OFFERED BY MR. FOSTER OF ILLINOIS**

At the end of title XXXI, insert the following:

1 **SEC. 3113. ENHANCING NUCLEAR FORENSICS CAPABILI-**
2 **TIES.**

3 (a) **NNSA FELLOWSHIP PROGRAM FOR GRADUATE**
4 **STUDENTS IN NUCLEAR CHEMISTRY.—**

5 (1) **IN GENERAL.**—The Administrator for Nu-
6 clear Security shall establish a fellowship program
7 for graduate students who are Ph.D. candidates in
8 the field of nuclear chemistry.

9 (2) **SENSE OF CONGRESS.**—It is the sense of
10 Congress that the fellowship program should—

11 (A) support at least six graduate students
12 per year; and

13 (B) require each graduate student to spend
14 at least two summers in a national security lab-
15 oratory over the course of the program.

16 (3) **FUNDING.**—Of the amounts appropriated
17 pursuant to an authorization of appropriations in
18 this Act or otherwise made available from amounts
19 for weapons activities from the National Nuclear Se-
20 curity Administration for national technical nuclear

1 forensics for fiscal year 2009, \$3,000,000 shall be
2 available to establish the fellowship program.

3 (4) PLAN.—No later than February 1, 2009,
4 the Administrator shall submit to the congressional
5 defense committees a plan describing the costs of
6 continuing the program for fiscal year 2010 and
7 thereafter.

8 (b) NNSA RESEARCH AND DEVELOPMENT PROGRAM
9 ON NUCLEAR FORENSICS RADIATION-MEASUREMENT
10 EQUIPMENT.—

11 (1) IN GENERAL.—The Administrator for Nu-
12 clear Security shall carry out a research and devel-
13 opment program to improve the speed and accuracy
14 of nuclear forensics radiation-measurement equip-
15 ment.

16 (2) FUNDING.—Of the amounts appropriated
17 pursuant to an authorization of appropriations in
18 this Act or otherwise made available from amounts
19 for weapons activities from the National Nuclear Se-
20 curity Administration for national technical nuclear
21 forensics for fiscal year 2009, \$2,000,000 shall be
22 available to carry out the research and development
23 program.

24 (3) PLAN.—No later than February 1, 2009,
25 the Administrator shall submit to the congressional

1 defense committees a plan for the research and de-
2 velopment program, including a description of the
3 costs of continuing the program for fiscal year 2010
4 and thereafter.

5 (c) RESEARCH AND DEVELOPMENT PLAN FOR NU-
6 CLEAR FORENSICS AND ATTRIBUTION.—

7 (1) RESEARCH AND DEVELOPMENT.—The Sec-
8 retary of Energy shall prepare a research and devel-
9 opment plan to prioritize research and development
10 efforts in the Department of Energy, and at the na-
11 tional laboratories overseen by offices of the Depart-
12 ment of Energy, on the technical capabilities re-
13 quired—

14 (A) to enable a robust and timely nuclear
15 forensic response to a nuclear explosion or to
16 the interdiction of nuclear material or a nuclear
17 weapon anywhere in the world; and

18 (B) to develop an international database
19 containing data on nuclear material, to enable
20 the attribution of nuclear material or a nuclear
21 weapon to its source.

22 (2) REPORTS.—

23 (A) The Secretary of Energy shall submit
24 to the congressional defense committees—

1 (i) not later than 6 months after the
2 date of enactment of this Act, a report on
3 the contents of the research and develop-
4 ment plan described in paragraph (1), and
5 any legislative changes required to imple-
6 ment the plan; and

7 (ii) not later than 18 months after the
8 date of enactment of this Act, a report on
9 the implementation status of the plan.

10 (B) The Secretary shall submit each report
11 required by this subsection in unclassified form,
12 but may include a classified annex with such re-
13 port.

14 (d) ADDITIONAL INFORMATION TO BE INCLUDED IN
15 REPORT ON NUCLEAR FORENSICS CAPABILITIES.—Sec-
16 tion 3129(b) of the National Defense Authorization Act
17 for Fiscal Year 2008 (Public Law 110–181; 122 Stat.
18 585) is amended—

19 (1) in paragraph (2), by striking “and” at the
20 end;

21 (2) in paragraph (3), by striking the period at
22 the end and inserting “; and”; and

23 (3) by adding at the end the following:

24 “(4) any legislative, regulatory, or treaty ac-
25 tions necessary to facilitate international cooperation

1 in enhancement of international nuclear-material
2 databases and the linking of those databases to en-
3 able prompt data access.”.

4 (e) REPORT ON NUCLEAR FORENSICS ADVISORY
5 PANEL.—

6 (1) ESTABLISHMENT.—The Secretary of De-
7 fense, in consultation with the Secretary of Energy
8 and the Secretary of Homeland Security, shall sub-
9 mit a report describing a joint recommendation for
10 establishing an independent Nuclear Forensics Advi-
11 sory Panel of recognized experts not directly associ-
12 ated with the Federal laboratories.

13 (2) ROLE OF INDEPENDENT PANEL.—The
14 function of such an independent panel should be to
15 provide independent validation of any Federal nu-
16 clear forensics analysis.

17 (3) REPORT.—Not later than 180 days after
18 the date of the enactment of this Act, the Secre-
19 taries referred to in paragraph (1) shall submit a re-
20 port on the structure and membership of the panel
21 required by that paragraph. The report shall be sub-
22 mitted to—

23 (A) the Committee on Appropriations,
24 Committee on Armed Services, and Committee

1 on Homeland Security of the House of Rep-
2 resentatives; and

3 (B) the Committee on Appropriations,
4 Committee on Armed Services, and Committee
5 on Homeland Security and Government Affairs
6 of the Senate.

7 (f) PRESIDENTIAL REPORT ON INVOLVEMENT OF
8 SENIOR-LEVEL EXECUTIVE BRANCH LEADERSHIP IN
9 CERTAIN EXERCISES THAT INCLUDE NUCLEAR
10 FORENSICS ANALYSIS.—Not later than 90 days after the
11 date of the enactment of this Act, the President shall sub-
12 mit a report on the involvement of senior-level executive
13 branch leadership in planned nuclear terrorism prepared-
14 ness exercises that have nuclear forensics analysis as a
15 component of the exercise. The report shall be submitted
16 to—

17 (1) the Committee on Appropriations, the Com-
18 mittee on Armed Services, and the Committee on
19 Homeland Security of the House of Representatives;
20 and

21 (2) the Committee on Appropriations, the Com-
22 mittee on Armed Services, and the Committee on
23 Homeland Security and Government Affairs of the
24 Senate.

